



CITY OF HAYWARD AGENDA REPORT

Meeting Date 9/26/02
Agenda Item 1

TO: Planning Commission

FROM: Carl T. Emura, Associate Planner

SUBJECT: Referral by the Planning Director: PL-2002-0188 AUP- David Fosgate (Applicant) /Michael Abern (Owner): To Use the Property as an Outdoor Automobile Storage Facility

The Property is Located at the intersection of Fletcher Lane and Walpert Street in the Agricultural (A) District

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, Section 15332, Class 32, In-Fill Development Projects; and
2. Approve the Administrative Use Permit, subject to the attached findings and conditions of approval.

DISCUSSION:

Approval of an Administrative Use Permit is required for subject project. However, due to the concerns about the project as expressed by individuals receiving a public notice, the Planning Director is referring the matter to the Planning Commission in order to provide a public forum.

The Setting

The project is located at the intersection of Fletcher Lane and Walpert Street. The parcel contains 4.61 acres with an irregular shape. The project site is bordered by multi-family dwellings to the south and east, St. Regis Retirement Center and Bret Harte Junior High School to the north, and El Rancho Steakhouse, a commercial building and a Chevron gas station to the west. The property is zoned Agriculture and the site is located within the boundaries of the Earthquake Fault Zone and is crossed by a fault trace. There are two flat plateaus on the site, however at least a third of the site has slopes of 2:1 or greater. Because of these two factors, development of the site is severely limited.

The Proposal

The applicant is requesting to use the site for an outdoor automobile storage parking lot for the Honda Dealership at 24895 Mission Boulevard, a little over a half mile away. The proposed parking lot would cover approximately 1.4 acres and would be able to store 244 automobiles. The site would be graded to provide parking areas with a 15 percent slope and driveways with a 5 percent cross slope. This will result in a 20-foot change in elevation from the lower edge to the higher edge of the parking lot and require the removal of 10 Eucalyptus trees (4 of which are in fair condition and the remaining in poor condition). This would make the parking lot visible from the southbound lanes on Mission Boulevard near Wendy's and the intersection of Mission Boulevard and Fletcher Lane. The parking lot would also be visible from the adjacent apartment complexes.

To minimize the visual impact of the parking lot as viewed from Mission Boulevard a 6-foot metal picket fence with medium-size shrubs and vines planted in front of it will be provided around the perimeter of the lot. By a condition of approval, 15-gallon trees (3 15 gallon trees for every Eucalyptus tree removed) would be planted along the lower bank of the site to provide additional screening. In addition, to minimize views from the intersection of Mission Boulevard and Fletcher Lane, a decorative masonry entry wall is required to obscure views into the parking lot.

To minimize the visual impact of the parking lot as viewed from the adjacent apartment complexes, as a condition of approval, an 8-foot decorative wood fence is required along the southern property line to screen views of the parking lot as viewed from the apartment's driveways. Additional 15-gallon trees, spaced at 20 to 25 feet on center are being required along the south property line and along the rear metal picket fence to screen views of the parking lot as seen from the adjacent apartment's walkways and patios.

Other improvements include hydroseeding and stabilizing the rear slope and extending and rounding out the public right of way to improve site lines at the entrance to the parking lot so that cars coming around the curve on Walpert Street will have better visibility of cars and trucks pulling out of the site.

By conditions of approval, hours of operation for truck carrier traffic would be limited to 9:00 am to 4:00 pm Monday through Friday. All other vehicular traffic would be limited to 7:00 am to 9:00 pm daily.

ENVIRONMENTAL REVIEW:

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15332, Class 32, In-Fill Development Projects.

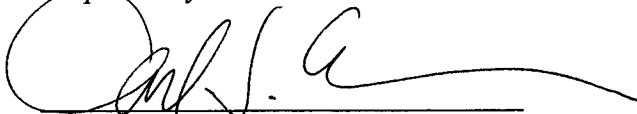
PUBLIC NOTICE:

On March 29, 2002, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records, and the Mission-Foothills Neighborhood Task Force members. The Referral Notice provided an opportunity for persons to comment on the project. There were six responses to the public notice, four of which opposed the proposal and two requested additional information. On September 16, 2002, a Notice of Public Hearing for the Planning Commission meeting was mailed.

CONCLUSION:

Because the site is traversed by traces of the Hayward Fault and is further constrained by steep slopes, in staff's opinion automobile storage would be a suitable use, provided that the site is adequately screened and delivery of vehicles does not interfere with the flow of traffic on either Fletcher Lane or Walpert Street. The proposed conditions of approval are intended to mitigate visual and traffic-related impacts.

Prepared by:



Carl T. Emura ASLA
Associate Planner

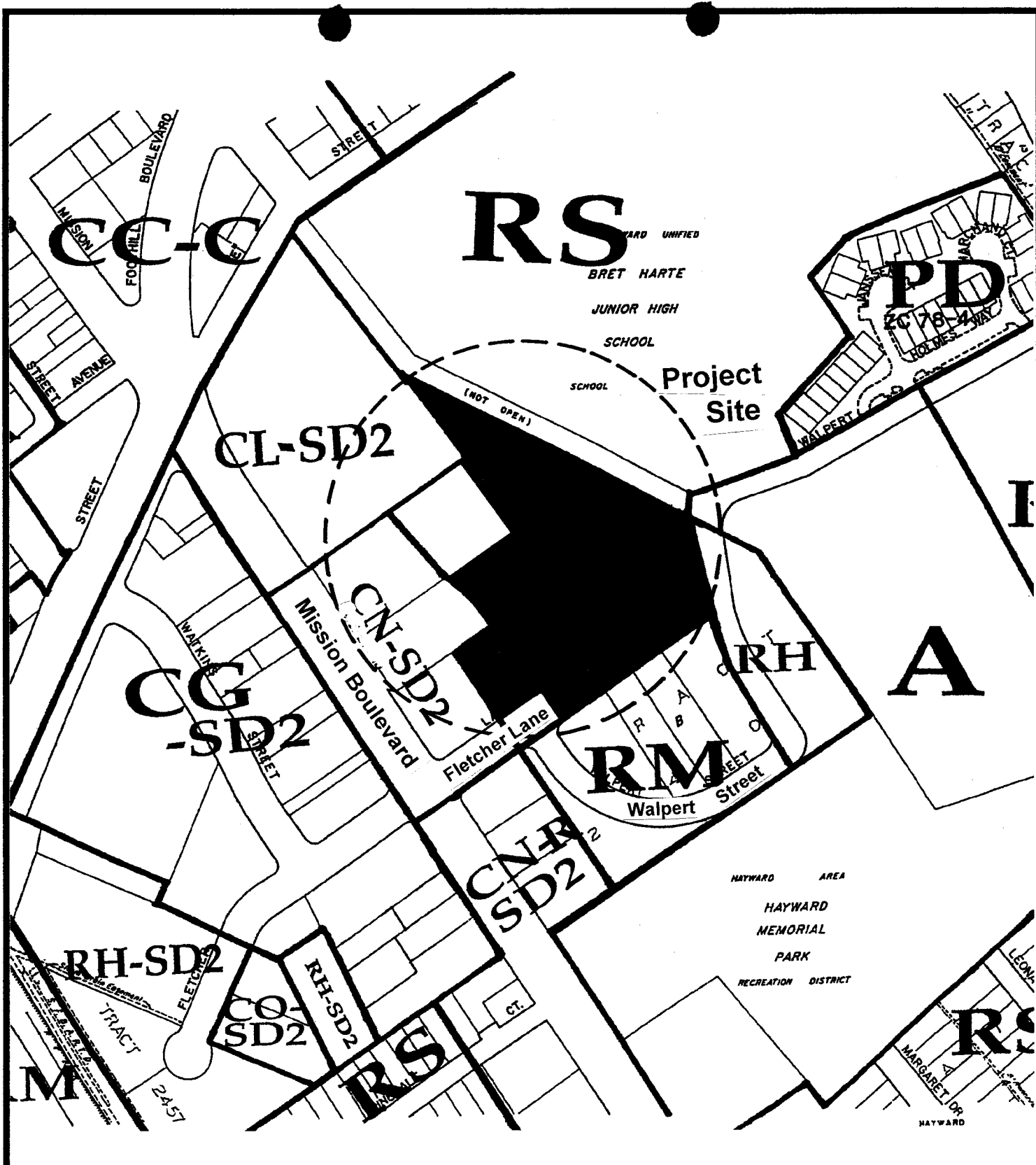
Recommended by:



Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area & Zoning Map
- B. Alquist Priolo Special Studies Zone
- C. Findings and Conditions of Approval
- D. Public Comments
- E. Arborist Report
Plans



Area & Zoning Map

PL-2002-0188 UP

Address: Fletcher Lane

Applicant: David Fosgate

Owner: Michael Ahern



FINDINGS FOR APPROVAL

Administrative Use Permit No. PI-2002-0188
David Fosgate (Applicant)/Michael Ahren (Owner)

1. The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15332, Class 32, In-Fill Development Projects.
2. The proposed use is desirable for the public convenience or welfare in that it makes use of a parcel that is difficult to develop due to its location within the Alquist Priolo Study Zone and sloped topography.
3. The proposed use will not impair the character and integrity of the zoning district and the surrounding area in that sufficient landscaping has been provided to screen views of the cars from Mission Boulevard and the apartment complexes surrounding the area.
4. The proposed use will not be detrimental to the public health, safety and general welfare in that minimum loss to life and property would occur should an earthquake take place in the vicinity of the site. The site is only for storage of automobiles and no building will be located on the site.
5. The proposed use is in harmony with applicable City policies in that the General Plan Policies & Strategies are supportive of uses that increase revenues to the City. Expanding the storage capacity will support the activities of the nearby auto row.

CONDITIONS FOR APPROVAL

Administrative Use Permit No. PI-2002-0188

David Fosgate (Applicant)/Michael Ahern (Property Owner)

1. The proposed application (Administrative Use Permit Application No. PI-2002-0188) is to locate an outdoor automobile storage parking lot at the parcel located at the intersection of Fletcher Lane and Walpert Street. The automobile storage parking lot shall operate according to these conditions of approval and plans approved by the Planning Commission on September 26, 2002, labeled Exhibit "A". This approval is void one year after the effective date of approval unless a building permit application has been submitted and accepted for processing by the Building Official. Any modification to this permit shall require review and approval by the Planning Director.
2. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
3. The applicant shall apply for all necessary building and grading permits.
4. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit.
5. The applicant shall provide signage at the entry gate, not exceeding six square feet in area, including the phone numbers of emergency contact persons, in case of an emergency at the facility. There may be no other signs.
6. The applicant shall maintain in good repair all fencing, parking lot surfaces, landscaping, lighting, drainage facilities, project signs, etc. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within seven days of occurrence or the City has the right to enter and remove and charge the property owner for the clean-up.
7. The entry gate shall be setback toward the interior end of the entry drive to allow a truck or car to pull out of the flow of traffic on Fletcher Lane. A solid decorative masonry entry wall shall replace the proposed masonry columns at the entry. The design of the masonry entry wall shall be approved by the Planning Director.
8. The street address number shall be located on the entry wall and shall be no less than 10 inches in height with a minimum ½-inch stroke width and of a contrasting color to background.
9. An eight-foot high decorative wood fence shall be provided along the south property line. Layout and design of fence shall be approved by the Planning

Director

10. Truck traffic to and from the site shall occur only between the hours of 9:00 am to 4:00 pm Monday through Friday. All other vehicular traffic shall be limited to 7:00 am to 9:00 pm daily.
11. No wholesale or retail activities shall occur on site. No car washing or auto detailing shall be permit at the site. The site shall be used only for the storage of passenger automobiles.
12. Only the perimeter of the auto storage parking areas shall be striped delineating the vehicular circulation and parking areas on the site. No individual parking spaces shall be striped. All cars shall be parked within these boundaries.
13. Lighting within the parking storage area shall be provided and be maintained at a level which is adequate for illumination and protection of the premises. Lighting shall be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast a direct light or glare upon adjacent properties or rights-of-way. A photometric lighting plan shall be submitted and approved by the Planning Director. Lighting Plan shall comply with the City's Security Ordinance.
14. A trash receptacle shall be provided in the vicinity of the main entrance. Trash receptacle shall be approved by the Planning Director.
15. No outside storage of material, crates, boxes, etc. (other than cars) shall be permitted anywhere on site.
16. No electrified fencing or barbed wire shall be allowed at this site.
17. The existing sidewalk off of Fletcher Lane in front of parcel shall be removed and a new sidewalk with handicapped ramps shall be provided along new street curb on Fletcher Lane.
18. Violation of conditions is cause for revocation of permit after public hearing before the duly authorized review body.

Engineering

19. A grading permit shall be obtained prior to any clearing, grubbing and grading of the site. Approximate quantities of cut and fill shall be provided at the time an application for a grading permit is submitted.
20. All graded or disturbed areas that will be idle during the rainy season shall be mulched at the rate of two tons per acre.

21. A BMPs structure such as CDS, CRS and/or equal, shall be installed prior to connection to Fletcher Lane storm drain system.
22. A grassy swale shall be constructed to collect runoff from the slope on the east side of the parking lot and connect to the storm drain system.
23. The Developer shall provide complete hydrology and hydraulic calculations sufficient to analyze downstream impact. The storm drainage system shall be reviewed and approved by ACFC & WCD.
24. The project plan shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system in accordance with the practices outlined in the California Storm Water Best Management Practices Handbook, ABAG, "*Erosion and Sediment Control Handbook*" and Regional Water Quality Control Board's "*Erosion and Sediment Control Field Manual*."
25. Submit 3 copies of Soils and Geological Investigation Report to the City for review by City's Consultant prior to any site grading.
26. All retaining walls shall be reinforced concrete.
27. No work shall be done in the street except for the replacement of the broken sidewalk along the property frontage.
28. The ground below the undercut sidewalk at the top of site on Walpert Street shall be repaired. Show on the plan a detailed design of how to support the existing undercut sidewalk on Walpert Street.

Traffic

29. The driveway shall be constructed to meet Standard Detail SD-110.
30. No on- or off-loading of vehicles shall take place on Mission Boulevard or Fletcher Lane.

Landscape

31. Prior to the issuance of the building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. A Certificate of Substantial Completion and Irrigation Schedule shall be submitted by the project landscape architect prior to approval of occupancy.
32. Trees shall be preserved in accordance with the *Tree Preservation Ordinance*. Tree shall not be severely pruned, topped or pollarded. Any trees that are pruned in this

manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City pursuant to Municipal Code. A tree removal permit is required prior to the removal of any tree. Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.

33. For each tree removed, three 15-gallon trees shall be provided in replacement. Trees shall be planted on the west bank of the property to provide additional screening from Mission Boulevard as required by the City Landscape Architect. Groundcover shall be provided on the bank between the fence and the west property line.
34. Trees shall be provided to screen the automobile storage parking lot from surrounding apartment complexes as required by the City Landscape Architect. Trees shall be selected and sited to minimize blocking views of the Bay. Trees shall be 15-gallon size minimum and planted 20 to 25 feet on center.
35. A low retaining wall shall be provided along the driveway next to the Eucalyptus grove along the south property line to minimize disturbance of the trees roots.
36. A certified Arborist shall be onsite when any work is done within the dripline of the trees to be protected. The City's tree protection measures shall be used and noted on grading and landscape plans.
37. Landscaping shall be provided from new sidewalk along Fletcher Lane/Walpert Street to the entry gates.
38. An evergreen vine shall be planted on the ornamental iron fence facing Mission Boulevard at 10 feet on center.
39. Hydroseed mix with perennials and shrubs shall be applied to the rear slope subject to approval by the City Landscape Architect.
40. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed within all required landscape areas, including the hydroseeded slope at the rear of the property. An individual adjustable flood bubbler shall be provided at each tree. Provide check valves for all sprinkler heads to minimize erosion.
41. All above ground utilities and mechanical equipment shall be screened from the street with shrubs.
42. Where any landscape area adjoins parking areas, a Class "B" Portland Cement concrete curb shall be constructed to a height of 6 inches above the finish pavement.
43. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any

dead or dying plants (plants that exhibit over 30 percent die-back) shall be replaced within ten days of the inspection

Fire Department

44. No driveway grades shall be in excess of 15 percent.
45. The proposed fire hydrants shall be double steamer and installed as per City Standard Detail SD-206. Crash post (bollards) shall be installed to prevent any type of vehicular damage from impact. Crash post shall be installed per City of Hayward Standards.
46. All driveways for the site shall be designated fire lanes and shall have an all weathered surface with a minimum 20-foot width capable of meeting fire truck turning radii at turns and a fire truck turnaround at the dead end. Red-curb/striping and fire lane signage shall be installed per City of Hayward Fire Department Standards.
47. A security gate will be installed at the driveway entrance from Fletcher Lane. The minimum width shall be 20 feet. A fire department key switch and /or lock box shall be installed.

Utilities

48. A Reduce Pressure Backflow Prevention Assembly as per the City of Hayward Standard Detail 202 shall be installed on all domestic & irrigation water meters. All Backflow Prevention Assemblies must be the same size as the water meter or line size which ever is larger.

Viola Salma-Barklow
1210 Tiegen Drive
Hayward, CA 94542-1041
(510) 886-4730

Carl T. Emura, ASLA
Planning Division
City of Hayward
777 B Street
Hayward, CA 94541

Subject: Fletcher Lane - Proposed Outdoor Auto Storage Parking Lot

Dear Mr. Emura:

This is in response to your postcard requesting comments on a request to the City to use the property on Fletcher Lane east of Mission Blvd. as an outdoor auto storage lot. The last development proposed for this site, as far as I can recall, was for a golf driving range which failed for a variety of reasons to receive neighborhood or city support. While I recognize that the characteristics of this particular parcel including seismic conditions make it difficult to develop, I do not believe the current proposal is an appropriate use either and would recommend denial. The following are some of my questions and concerns:

Incompatible use. At the time our Foothill-Mission Neighborhood Task Force was meeting in the early 1990s, I believe city policy was to restrict auto-related businesses on Mission Blvd. to south of Carlos Bee Blvd. We thought that was appropriate then and I believe it is still appropriate policy. In the past few years, however, the city has allowed auto-related businesses to be established further north to Palisade. But that's far enough north; there are plenty of vacant lots further south on Mission in "auto row" for automobile storage and other auto-related businesses.

Visual. Would the auto storage be used for new vehicles? Rentals? Used cars? How many automobiles? Views from above and below the site would be marred by the sight of a parking lot filled with cars. The view from the apartments above the site would be particularly damaged. Because of the steep hillside terrain, would the parking stalls be all on one level or would the site be graded into benches or tiers? How would visual impacts be mitigated?

Lights. Would there be security lighting? How much lighting and what kind? The view from the apartments above the site would be marred by light intrusion. How would lighting be mitigated so as to not create light intrusion and visual blight?

Noise. How much noise disturbance would be created by activities at the storage facility? Is the proposal for long-term or short-term parking? Would there be use of outdoor speakers as at some auto-related businesses? How would noise impacts be mitigated?

Traffic. There is a lot of traffic on Fletcher Lane already. How much additional traffic would be generated by vehicles entering and exiting the auto storage area? How would it impact downhill traffic on Fletcher? How would it impact uphill traffic? How would traffic impacts be mitigated?

Thank you for the opportunity to comment on this proposal. Please place me on your notification list if any future action is taken on this request.

Sincerely,

Viola Salma-Barklow

ATTACHMENT D

Carl Emura

From: Ajgoodie@cs.com
Sent: Tuesday, April 02, 2002 10:44 AM
To: Carl Emura
Cc: marylene@damasco.com
Subject: PL 2002 0188 UP

Sir/Madam:

This is a comment on your proposed outdoor auto storage facility, April 2002.

I live next door to the proposed site and your use of the proposed area will destroy the beauty of our view, ruin the eating ground for a family of deer, create additional traffic in the area, and increase the noise level of the area, thus destroying 1000 of residents' privacy.

Number one, looking onto the open field, seeing green grass and hills, and seeing wild animals will be destroyed by your proposed change. All tenants in the area will be effected. At the moment, one can take a short walk and stand on top of Fletcher Lane and look at hills, grass, trees, and wild deer. (the deer can be verified by observing area at night). Also, looking from our paid balcony's, the beauty of the area can be seen.

Secondly, at night a family of deer come down and eat the grass for food. Placing autos in this area will destroy this food supply.

Next, how are stored cars going to get into the area? Fletcher is a main street to public schools, the seminary, getting from Hayward High to Mission, and multiple exit points for the 1000 of residents that live in the Fletcher area. The area is already congested by cars. To show this, on the week of March 29, 2002, the streets had to be repaired due to the car use. Getting additional cars in the area will increase the noise caused by cars. The Fletcher area can hear noise from the Mission street and the Fletcher traffic. Many of the residents work at home and commute to other cities if necessary. Due to the temperature of this area, windows must be open to be comfortable while working. This lets the noise of the cars in the residents' houses and interrupting work being performed by private industry and government agencies. Working at home was put into place to relieve the traffic of the Bay Area, thus destroying the work environment on Fletcher will force multiple employees back to Bay Area traffic to obtain a suitable work environment.

To conclude, the proposed outdoor audit storage facility in the Fletcher area will destroy the beauty of the proposed site, ruin the deer's current feeding area, and create additional noise in the Fletcher area.

Respectfully,
Anthony Goodie
Hayward Resident

4/2/2002

Carl Emura

From: Bplugin@cs.com
Sent: Tuesday, April 02, 2002 4:53 PM
To: Carl Emura; carle@hayward.ca.us
Subject: (no subject)

City of Hayward, Planning Division

Attn. Carl Emura,

My name is Carol Porter the owner of Fletcher Heights Apartments, 920
Fletcher Lane, Hayward, Ca. 94544.

The site proposed for Auto storage parking lot is next door to my apartment building. I feel that this would be a unsightly look from my apartment since they are residential living apartments and landscape. This Outdoor Auto Parking Lot would have toxic waste on it as gasoline, oil and so forth. Lighting on and security for the area would be a 24 hr. problem for people to live in reason. The Big problem is when coming down the hill of Fletcher Lane to proposed area to enter the Auto Parking lot is a very dangerous curve, this cannot be seen from the front of my apartment land to the curve. I feel my apartment renters and the public coming down this hill would be in _--- danger in more than one way.

Sincerely, Carol Porter-Wooding
1025 Adrienne

Drive

94507

Alamo, Ca.

(925)820-5258



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KEVIN K. KIELTY
OPERATIONS MANAGER

August 15, 2002

535 BRAGATO ROAD, STE. A
SAN CARLOS, CA 94070-6278
TELEPHONE: (650) 593-4400
FACSIMILE: (650) 593-4843
EMAIL: info@maynetree.com

Mr. Bob Fisher
Sonic Facilities Group, Inc.
250 E. Wagner Street
Talent, Or. 97540

Fletcher Lane, Hayward, CA

Dear Mr. Fisher:

On August 9, 2002, I inspected 29 trees, all eucalyptus, at the above referenced site. The lot appears to have had a grass fire, as the trunks are blackened. Some bark damage was done, but, in my opinion, not enough to kill the trees. Tree No's 1—20 are slated for removal and 21—28 are to be kept as a screen.

Each tree was measured at 48 inches above grade or as noted. Each tree was then tagged on the west side with a plastic number which corresponds to the report. The trees were then given a "Condition" rating which is a combination of tree health and structure per the following table.

0-29 - Very poor

30-49 - Poor

50-69 - Fair

70-89 - Good

90-100 - Excellent

Finally, the "Comments" are to explain the Condition and any information on each tree. Since this area is slated for storage, possible danger and/or injury from falling limbs is minimal and safety pruning is not critical on the retained trees.

Sonic/Fisher 8-15-02, Pg. 2

TREE SURVEY

All trees are eucalyptus

Tree No.	Size	Condition	Comments
1	29.5	45	Basal wound. Forks at 4 feet. One top broke
1b	8,4,4,4 (Est.)	35	4 trunks at ground level. Very weak structure.
2	13.6	50	Basal wound with many dead limbs.
3	20.9	30	Significant trunk wound. Large dead limb.
4	14.7	55	Leans, weak structure.
5	10.7, 6.8	50	Leans, forks at 2 feet.
6	14.5	40	Dead top.
7	14.3, 12.8	40	Forks at 4 feet, leans. Weak upper structure
8	10.5, 7.3	55	Forks at 2 feet. Weak crutch.
9	12.5, 11.4	60	Forks at 3 feet.
10	17.0	50	Upper weak structure.
11	15.4	45	Growth only at top. Lower limbs died and broke.
12	17.0	40	Very weak upper structure.
13	10.8, 6.6	60	Forks at 1 foot.
14	9.8, 9.5, 8.8, 9.4, 8.4, 10.3	40	6 trunks at ground level. Weak structure.
15	21.4	30	Dead tops, weak structure.
16	18.0	35	Very weak upper structure. Heavy limbs, broken limbs.

Sonic/Fisher 8-15-02, Pg. 3

TREE SURVEY

<u>Tree No.</u>	<u>Size</u>	<u>Condition</u>	<u>Comments</u>
17	17.7	35	Very weak upper structure. Heavy limbs, broken limbs.
18	12.7	60	Suppressed by Tree No. 15. Forks at 12 feet.
19	20.5	55	Upper weak structure, broken limbs.
20	22.8	45	3 trunks at 6 feet. Weak connection.
21	36 (Est. @ 1')	50	Weak structure.
22	26.4	50	Trimmed back from wires. Topped.
23	26.7, 15.0	55	Forks at 1 foot. Trunks have slight lean.
24	22.7	50	See No. 22.
25	6, 6, 6, (Est.)	30	Forks at ground level. 3 trunks. Significant dieback.
26	14, 12, 10, 12 (Est.)	40	4 trunks at ground level. See No. 22.
27	12.6	50	Growth mostly on one side.
28	30 (Est. @ 1')	50	10 tops at 5 feet. See No. 22.

I believe this report is accurate and based on sound arboricultural principles and practices.

Sincerely,

Richard L. Huntington

Richard L. Huntington
Certified Arborist WC #0119

RLH:der



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